## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION

TIMOTHY R. MALLORY	)	
Plaintiff,	)	Civil Action No. 2:11cv00013
	)	
	)	
v.	)	<u>ORDER</u>
	)	
	)	By: JAMES P. JONES
MICHAEL J. ASTRUE,	)	UNITED STATES DISTRICT JUDGE
<b>Commissioner of Social Security,</b>	)	
Defendant.	)	
— <del></del>	,	

It appearing that no objections have been timely filed to the Report and Recommendation filed May 31, 2012, setting forth the findings and recommendations of the magistrate judge, it is **ADJUDGED AND ORDERED** as follows:

- 1. The Report and its findings and recommendations are wholly **ACCEPTED** and **APPROVED**;
- 2. Attorneys' fees are awarded to the plaintiff under the provisions of the Equal Access to Justice Act, ("EAJA"), 28 U.S.C.A. § 2412(d) in the amount of \$1,043.75; and
- 3. This amount will be paid directly to the plaintiff and sent to the business address of plaintiff's counsel.

ENTER: May 31, 2012.

/s/ James P. Jones

United States District Judge